

M E M O R A N D U M

July 17, 2002

TO: Superintendents of Schools
County School Superintendents
Directors of Special Education
Charter School Administrators
Approved Private Special Education Facility Administrators
Secure Care Settings Education Administrators
Other State Agencies
Others Interested in Special Education

FROM: Randy R. Lazar
Dispute Resolution Manager
Exceptional Student Services

RE: Revised Complaint Procedures

In accordance with the implementing regulations of the Individuals with Disabilities Education Act (IDEA) [34 C.F.R. § 300.660], the Arizona Department of Education/Exceptional Student Services (ADE/ESS) Division is required to have written procedures for resolving complaints. In addition, Exhibit A of the Consent Decree, that was a result of *Joseph Dunajski, et al. v. Lisa Graham Keegan, the State of Arizona, and the Arizona Department of Education* [No. CIV 99-0353 PCT RCB], required ADE/ESS to modify its complaint procedures. This was completed on October 26, 2000 and became part of the Consent Decree on March 26, 2001. During the time the Consent Decree is in effect, any revisions made to the complaint procedures requires the approval of the Consent Decree Monitor.

On July 9, 2002, the Consent Decree Monitor approved revisions made to the complaint procedures (see enclosure). In the early fall of 2001, ADE/ESS began a pilot program known as the Early Complaint Resolution process. Our office is very pleased with the initial success of this program. The revisions made to the complaint procedures primarily incorporates the steps ADE/ESS undertakes when attempting to resolve a complaint through the Early Complaint Resolution process. Please take a few moments to review the revised procedures. If you have any questions regarding the revisions, please feel free to contact me at (602) 542-3084. Thank you very much for your time and attention to this matter.